

FILED - USDC -NH  
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THE UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

Josephine Amatucci

v.

Laplante, Mullen, Chase, Town of Wolfeboro

et al

Docket 22-cv-00547

MOTION FOR SUMMARY JUDGMENT

JUDGMENT AS A MATTER OF LAW

UNLAWFUL PROSECUTION FOR SPEEDING AND DISOBEYING

UNLAWFUL IMPRISONMENT FOR SPEEDING AND DISOBEYING

VIOLATION OF THE SIXTH AMENDMENT

ALL WITH NO PROBABLE CAUSE

1. Stuart Chase and the Town of Wolfeboro are defendants in this case, are in privity in this case, as a matter of fact this entire case is all about the crimes committed by the former Police Chief Stuart Chase, making the Town liable for his crimes, under Monell and under the Constitutional and state law.

2. This case has been in purgatory long enough. It started as a very simple case when filed, for a claim of an unlawful prosecution and imprisonment for the offenses of speeding and Disobeying a Police Officer . As Speeding is not a crime in New Hampshire, you do not get prosecuted for speeding. and where the trial

for the offenses of speeding and disobeying a police officer was in violation of the Sixth Amendment SPEEDY TRIAL CLAUSE, when a trial was held beyond the time allowed to hold a trial under the Sixth Amendment the conviction by the trial court judge for a disobeying offense is VOID OF NO LEGAL FORCE, and the trial was held in violation of the Plaintiff's liberty rights, when her liberty rights were detained when she had to appear for the trial.

3. She was unlawfully imprisoned when she was denied the RIGHT to BAIL OUT which is allowed in New Hampshire, instead of spending the night in jail, for an offense of speeding and disobeying a police officer. And where she was denied the right to bail out instead of spending the night in jail, this was the crime of a false imprisonment. Please see attached the evidence that the Plaintiff had a right to BAIL OUT and was denied this right.

4. Also, defendants Laplante and Mullen COMMITTED FRAUD ON/UPON the Court when they denied the Plaintiff's Summary Judgment under FRAUD, when they falsely allowed the police probable cause based on the right the police had to..... "STOP" .... her car. When the crime was not about the .... "STOP"...., but about the unlawful prosecution of speeding.

#### SIXTH AMENDMENT VIOLATION

5. The trial in this case was in violation of the Sixth Amendment, SPEEDY TRIAL CLAUSE, when the trial was held after the time allowed to hold a trial under the Sixth Amendment. Therefore, the Conviction ordered at the trial by the trial court judge for the offense of Disobeying a Police Officer is VOID OF NO LEGAL FORCE, and which must be reversed. The Plaintiff is demanding that this Court reverse the unlawful conviction.

6. The Plaintiff was not given the right to BAIL OUT, as allowed under Due Process,

and she was forced to remain in jail OVERNIGHT, a violation of the Fourth Amendment of an unlawful seizure of her LIBERTY RIGHTS and UNLAWFUL IMPRISONMENT.

7. Also, Chase went inside her car while she was in jail, WITHOUT A WARRANT, and stole her evidence proving that police officer Dean Rondeau falsely accused her of a crime Rondeau knew she never committed, the crime of driving erratically at the state park in Wolfeboro, when the truth was the Plaintiff was in Salisbury at the time, and not in Wolfeboro, as she was able to produce a deposit slip from TD Bank in SALISBURY, to prove she was in a bank in Salisbury at the time she was suppose to be driving erratically in Wolfeboro, according to Rondeau, who contacted the DOT to have her drivers license revoked, for her erratic driving.

8. Please find attached evidence of a newspapaer article proving that a person has the opportunity to BAIL OUT of jail for the offense of disobeying a police office and for the serious offense of committing DUI, yet the Plaintiff was denied the right to BAIL OUT and they let her spend the night in jail, violating her liberty rights.

9. All these crimes by the police were done to a very ELDERLY PERSON, which makes these crimes much more serious, under the law.

10. I believe that the former Police Chief Stuart Chase should be in jail, as we are talking about Felony crimes, crimes committed in MALICE where the Plaintiff a very elderly person was unlawfully incarcerated, a false imprisonment when she had a right to BAIL OUT of jail, where she was unlawfully prosecuted for speeding and disobeying, in violation of the Sixth Amendment.

WHEREFORE: Where The Plaintiff is 84 years old, she is asking that she be allowed a jury trial for damages for the violations of her constitutional rights by the defendants. WITHOUT FURTHER DELAY, or it would be an ABUSE OF THE ELDERLY if she was not allowed without a delay her right to damages under 1983. A right which OVERRIDES any and all opinions of the court.

Respectfully,

**Josephine Amatucci**

April 26, 2023

c. Town of Wolfeboro,

A handwritten signature in black ink, appearing to read "Josephine Amatucci".

Chase

UNION LEADER 4/24/23

## Woman charged with DWI after driving the wrong way on I-93

### Staff Report

State police arrested a 22-year-old Manchester woman early Sunday who was allegedly driving northbound on the southbound lanes of Interstate 93 from Hooksett to Concord.

Kayiba K. Christelle was charged with reckless conduct with a deadly weapon, disobeying a police officer, reckless operation and driving while intoxicated, according to a news

release.

State police received reports of the wrong-way driver around 2 a.m. heading into Bow from Hooksett.

Troopers used a tire deflation device at mile marker 35 in Bow, but Christelle continued on into Concord where she was stopped by Concord police at mile marker 36.2.

Christelle was released on bail and set to appear at Merrimack Superior Court on May 18.

RECKLESS CONDUCT W/ WEAPON  
DISOBEDIENCE  
Sununu RECKLESS OPERATION  
INTOXICATED  
WRONG WAY

From Page A1

From: JOSEPHINE AYER  
Case 1:22-cr-00547-LM-AJ Document 9 Filed 05/01/23 Page 6 of 6  
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